

Preliminary Classification:

Proposed Class:

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450



NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Scott Guy Asbury; Edward Scott Nelson

For (title): BICYCLE TOWING DEVICE

1. Type of Application

This application is for a continuation.

2. Benefit of Prior U.S. Applications (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATIONS CLAIMED.

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)

(Express Mail certification is *optional*.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date December 1, 2003, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV415640235US.

Robert J. Clark

Type or print name of person mailing paper

Date: December 1, 2003

Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

3. Papers Enclosed

- A.** Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

30 Page(s) of Specification
5 Page(s) of Claims
10 Sheet(s) of Drawing(s)--Formal

- B.** Other Papers Enclosed

7 Page(s) of declaration and power of attorney (copy)
1 Page(s) of abstract

4. Declaration or Oath

Enclosed

Executed by:

* inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

7. Fee Calculation (37 C.F.R. § 1.16)

Regular Application

CLAIMS AS FILED									
		Number Filed		Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a) \$770.00	
Total Claims (37 C.F.R § 1.16(c))	20	–	20	=	0	x	\$ 18.00	= \$	0.00
Independent Claims (37 C.F.R § 1.16(b))	3	–	3	=	0	x	\$ 86.00	= \$	0.00
Multiple Dependent Claim(s), if any (37 C.F.R § 1.16(d))							\$ 290.00	\$	0.00

Filing Fee Calculation

\$770.00

8. Assertion of Small Entity Status

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.
Status as a small entity was asserted in the prior application 09/381,117 filed on November 29, 2001 from which benefit is being claimed for this application under 35 U.S.C. § 120 and which status as a small entity is still proper and asserted for this application.

Filing Fee Calculation (50% of above Filing Fee Calculation)	<u>\$385.00</u>
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9. Fee Payment Being Made at This Time

Enclosed

Filing Fee	\$385.00
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Total Fees Enclosed	\$385.00
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10. Method of Payment of Fees

Authorization is hereby made to charge the amount of \$385.00 to Deposit Account No. 15-0450.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

11. Instructions as to Overpayment

Credit Account No. 15-0450.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATIONS CLAIMED
(37 C.F.R. § 1.78)**

12. Relate Back

Amend the specification by inserting, before the first line following the title, the following sentence:

A. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a continuation of copending application number 09/381,117 filed on November 29, 2001, which is a national stage of International Application PCT/US98/04810 filed on March 10, 1998, and which designated the U.S.

The nonprovisional application designated above, namely application PCT/US98/04810, filed March 10, 1998, claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.
60/039,938

FILING DATE
03/10/1997"

13. Maintenance of Copendency of Prior Application

A. Extension of Time in Prior Application

A petition, fee and response extends the term in the pending **prior** application until December 3, 2003.

A **copy** of the petition filed in prior application is attached.

14. Small Entity (37 C.F.R. § 1.28(a))

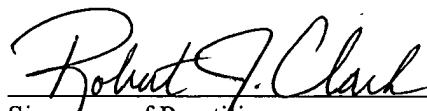
Applicant has established small entity status by the filing of a statement in parent application 09/381,117 on November 29, 2001.

15. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

Date: December 1, 2003

Reg. No.: 45,835
Tel. No.: 330-864-5550
Customer No.: 021324



Signature of Practitioner
Robert J. Clark
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Asbury et al. Examiner: DePumpo, D.
Serial No: 09/381,117 Art Unit: 3528
Filed: November 29, 2001 Date: December 1, 2003
For: **BICYCLE TOWING DEVICE**

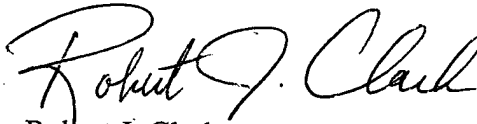
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OFFICE ACTION RESPONSE

This paper is filed in response to the Office Action mailed July 3, 2003. As this response is filed within five months of the mailing date, a two-month extension fee is believed to be due and is attached herein. If any additional fees are required, please consider this a petition for payment of them and charge them to Deposit Account 15-0450.

In lieu of a response in the present case, a continuation application is being filed concurrently under separate cover.

Respectfully submitted,
HAHN LOESER & PARKS, LLP



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Attorney Docket No. **6584-1-PCT-US**